		T.A 11
Notice of Allowability	Application No.	Applicant(s)
	09/890,969	LUU ET AL.
	Examiner	Art Unit
	Shengjun Wang	1617
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communication GHTS. This application is subject to	oplication. If not included n will be mailed in due course. THIS
1. This communication is responsive to <u>January 24, 2006</u> .		
2. X The allowed claim(s) is/are 10-13 and 24-29.		
 3. Acknowledgment is made of a claim for foreign priority un a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 	• • • • • • • • • • • • • • • • • • • •	
2. Certified copies of the priority documents have	been received in Application No.	·
3. Copies of the certified copies of the priority do	cuments have been received in this	national stage application from the
International Bureau (PCT Rule 17.2(a)).		5
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	IENT of this application.	
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give		
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.	
(a) \square including changes required by the Notice of Draftspers	on's Patent Drawing Review (PTO	-948) attached
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b) including changes required by the attached Examiner's Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the		
 DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT 	sit of BIOLOGICAL MATERIAL FOR THE DEPOSIT OF BIOLOGIC	must be submitted. Note the CAL MATERIAL.
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5. Notice of Informal	Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summar Paper No./Mail Da	y (PTO-413),
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date	7. ☐ Examiner's Amend	Iment/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🛭 Examiner's Statem	ent of Reasons for Allowance
oi biological iviatellal	9.	SHENGJUNWANG PRIMARY EXAMINER
		Shengjun Wang

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DETAILED ACTION

1. The terminal disclaimer filed on May 10, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,228,893 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Reasons for Allowance

- 2. The amendments and remarks filed January 24, 2006 have been entered and considered. The amendments and remarks are persuasive to put the application in conditions for allowance. Particularly, the amendments limit the claimed invention to the employment of trimethyl cyclohexenoic long chain fatty alcohols with a C15-C28 linear chain for treating ALS. Even though the prior art suggest that cyclohexenoic long chain fatty alcohols are useful for neuroprotection, it is unpretictable as to the structure-activity relationship. Particularly, Girlanda-Junges discloses that the activity of cyclohexenoic long chain fatty alcohol with mono or di methyl substituents disappears when the chain length increased C15 (page 7740). Instant application shows trimethyl cyclohexenoic long chain fatty alcohol with chain length at 15 actually has better activity compared to those with shorter chain length (table 1 at page 28, the specification), and fairly suggests that trimethyl substituent is critical for cyclohexenoic long chain fatty alcohol with chain length of C15 or more. Furthermore applicants' statements regarding Luu reference (USPN 6,228,893) disqualify the reference as valid prior art.
- 3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shengjun Wang whose telephone number is (571) 272-0632. The examiner can normally be reached on Monday to Friday from 7:00 am to 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan, can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FRIMARY EXAMINER/ Shengjun Wang Primary Examiner Art Unit 1617